

Senator Matlock withdrew his motion. Senator Jones' motion was adopted and bill tabled.

Senator Harris moved to adjourn until to-morrow at 10 a. m. Lost.

Senate bill 81, "An act to prevent certain county officers, their deputies and employees from purchasing property at tax sales," was taken up, read second time and ordered engrossed.

Senator Gooch moved to adjourn. Withdrawn temporarily.

On motion of Senator Buchanan, Captain Kyle, Sergeant-at-Arms, was excused, on account of sickness.

On motion of Senator Gooch, Senator Cooper was excused, on account of sickness.

On motion of Senator Kleberg, Senator Pfeuffer was excused for the day on account of important business.

On motion of Senator Davis, the regular order of business was suspended and Senate bill 94, "An act requiring the printing and publication of 5000 copies of the general laws of the Sixteenth and Seventeenth Legislatures, and the general laws of the called session of the Sixteenth Legislature," was taken up, read second time and ordered engrossed.

On motion of Senator Patton, 50 copies of Senate bill No. 32, "An act to pension the veterans and signers of the declaration of independence of Texas," were ordered printed.

On motion of Senator Terrell, the Senate tendered the use of the Senate Chamber on Wednesday night next, for the use of Hon. Horace Cone to deliver his lecture on "The Responsibility of Women for the State of Society."

Senator Gibbs introduced a bill, by unanimous consent, entitled "An act to provide for the sale and lease of all lands set apart for the benefit of the common school fund and to provide for the investment of the proceeds of the same, and to make an appropriation for carrying into effect the provisions of this bill, and to repeal all laws in conflict therewith." Referred to Committee on Public Lands, and on motion of Senator Matlock, 100 copies ordered printed.

The following message was received from the House:

HALL OF HOUSE OF REPRESENTATIVES, }
AUSTIN, January 22, 1883. }

I am instructed to report to your honorable body that the House has concurred in Senate amendment to substitute for House bill Nos. 6 and 18.

J. W. BOOTH, Chief Clerk.

The President gave notice of signing of substitute for House bills Nos. 6 and 18, "An act to withdraw the public lands of the State of Texas from sale."

On motion of Senator Matlock, the Senate adjourned till to-morrow morning at 10 o'clock.

TWELFTH DAY.

SENATE CHAMBER, }
AUSTIN, TEXAS, January 23, 1883. }

The Senate met pursuant to adjournment. Lieutenant Governor Martin in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Senator Matlock, the reading of the journal of yesterday was dispensed with.

Senator Fleming presented a memorial of citizens of Jones county with reference to the public school and asylum lands. Referred to Committee on Public Lands.

Senator Terrell presented a memorial of M. A. C. Wilson, asking a duplicate debt certificate for public services. Referred to Committee on Claims and Accounts.

Senator Jones presented a memorial of the heirs of Anson Jones, for a special law authorizing the location of the

balance of unlocated lands. Referred to Committee on Private Land Claims.

Senator Martin, chairman of the Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, January 22, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 50, being "An act to amend article 317, chapter 3, title 9 of the Penal Code."

Also, Senate bill No. 56, being "An act to amend article 1083 of the Code of Criminal Procedure of the State of Texas."

Also, Senate bill No. 60, being "An act to amend article 4574 of chapter 3, of title 93 of the Revised Civil Statutes of the State of Texas," and instruct me to report that they find the same correctly engrossed.

MARTIN, Chairman.

On motion of Senator Shannon, A. M. Belvin, Engrossing Clerk, was excused to-day and to-morrow, on account of sickness.

Senator Fleming introduced a bill entitled "An act to create the land districts of Mitchell and Howard." Referred to Committee on Public Lands.

Also, a bill entitled "An act to reserve and set apart 325 leagues of land heretofore surveyed for the benefit of unorganized counties of this State, and such organized counties as may have located their four leagues of school land, or any part thereof, in conflict with valid prior locations and surveys, or which may, from any cause, fail to get title to the four leagues of land they are entitled to receive under the law." Referred to Committee on Public Lands.

Senator Pfeuffer introduced the following bills:

A bill to be entitled "An act defining the duties and liabilities of sheriffs who are tax collectors, and collectors of taxes in cases where they may be re-elected to the same office, and providing for their removal from office in certain cases." Referred to Committee on Finance.

"An act to add article 106a to the Penal Code." Referred to Committee on Finance.

"An act to amend article 110 of the Penal Code of Texas." Referred to Committee on Finance.

Senator Buchanan introduced a joint resolution amending section 10, article 11, of the Constitution, so as to authorize incorporated cities and towns, and counties and school districts or communities, under certain circumstances to levy and collect a special ad valorem tax for the support of public free schools, in addition to the *pro rata* available school fund received from the State. Referred to Committee on Constitutional Amendments, and, on motion of Senator Gibbs, 100 copies ordered printed.

Senator Stratton introduced a bill entitled "An act to authorize Christian Jordan to sue the State of Texas." Referred to Judiciary Committee No. 1.

Senator Getzendaner introduced a bill entitled "An act for the laying out and opening public roads in unorganized counties." Referred to Committee on Roads, Bridges and Ferries.

Senator Gooch introduced a bill entitled "An act to provide for leasing the common school lands of the State of Texas." Referred to Committee on Public Lands.

On motion of Senator Fowler, Senator Randolph was excused, on account of sickness.

Senator Matlock introduced a bill entitled "An act to ascertain and liquidate any indebtedness due by the State of Texas for furniture supplied for the State Capitol by authority of the act of the Legislature entitled 'an act to provide for the erection of a capitol of the State of Texas,' approved February 14, 1852." Referred to Committee on Claims and Accounts.

Senator Martin introduced a bill entitled "An act to

amend article 2946 of the Revised Statutes of the State of Texas." Referred to Judiciary Committee No. 1.

Senator Perry introduced a bill entitled "An act to provide who shall work the public roads, and to fix the length of time they shall so work." Referred to Committee on Roads, Bridges and Ferries.

Senator Farrar introduced a bill entitled "An act to fix the term for holding the district court in the counties of the thirteenth judicial district." Referred to Committee on Judicial Districts.

Senator Kleberg introduced a bill entitled "An act to amend sections 28 and 31 of an act entitled 'an act to provide for the protection of the frontier, etc.,' approved April 10, 1874." Referred to Judiciary Committee No. 1.

Also, a bill entitled "An act to amend section 1 of an act entitled 'an act to provide for traveling expenses of the quartermaster, etc., of frontier battalion,' approved May 4, 1874." Referred to Committee on Retrenchment and Reform.

Senator Houston offered the following resolution:

Resolved, That the Senate vote to-day at 12 o'clock, upon the election of a Senator to represent Texas in the United States Congress, in accordance with sections 14 and 15, chapter 1, title 2 of the Revised Statutes of the United States.

Adopted.

On motion of Senator Davis, Mr. Hunter, Assistant Secretary of the Senate, was excused, on account of sickness.

On motion of Senator Houston, the Secretary was directed to inform the House of the adoption of the above resolution.

Senator Martin, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, January 23, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 58, being "An act amending article 4000 of the Revised Civil Statutes;" also, Senate bill No. 61, being "An act to restore to and confer upon the county court of Parker county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and general statutes of the State, and to conform the jurisdiction of the district court of said county to such change," and find the same correctly engrossed.

MARTIN, Chairman.

On motion of Senator Getzenderan, Senator Collins was added to Committee on Counties and County Boundaries.

Senator Fleming, by unanimous consent, presented a petition of citizens of Stephens and Shackleford counties with reference to the orphan asylum lands. Referred to Committee on Public Lands.

On motion of Senator Houston, Senator Jones was added to the Committee on Internal Improvements.

Senate bill No. 8, "An act to repeal the fourth section of an act entitled an act defining who are officers in this State, and prescribing their rights, powers, duties, and privileges, approved February 15, 1881," was taken up in regular order, read second time, and, on motion of Senator Davis, postponed and made the special order for Tuesday morning after the morning call.

Senate bill No. 2, entitled "An act to amend article 3201, chapter 1, title 62, of the Revised Statutes," taken up and read second time, with an unfavorable report from the majority and a favorable report from the minority of Judiciary Committee No. 1.

Senator Harris moved the adoption of the minority report.

Senator Houston raised the point of order that the friends of the bill have the privilege to amend the same.

Point of order sustained.

The amendments of the minority, in their report, were adopted.

Senator Chesley then moved that the minority report be substituted for the majority report, which was adopted by the following vote:

YEAS—15.

Chesley,
Collins,
Evans,
Gibbs,
Gooch,

Houston,
Johnson of Collin,
King,
Kleberg,
Matlock,

Perry,
Pfeuffer,
Shannon,
Stratton,
Traylor.

NAYS—12.

Buchanan,
Cooper,
Davis,
Farrar,

Fleming,
Fowler,
Getzenderan,
Harris,

Martin,
Patton,
Peacock,
Terrell.

Senator Gooch offered the following amendment: Add to article 3201, "provided, that where coverture is plead or proved to avoid the statute of limitation, it shall not interrupt the running of such statute for a longer period than seven years." Lost.

Senator Terrell moved a call of the Senate. Call sustained.

Roll called. Absent, Senators Kleberg and Pope.

Pending the call, the bill went to the table.

Senator Houston offered the following resolution:

Resolved, That subdivisions "eighth" and "ninth" of rule 13 of the Senate rules, prescribing the order of business, be amended so as to read as follows:

Eighth. For bills on third reading.

Ninth. For bills on second reading.

Read and referred to the Committee on Rules.

Senate bill No. 12, entitled "An act to provide for the issuance of writs of mandamus and injunction in certain cases, and to fix the venue of the same," was taken up, and on motion of Senator Harris, was postponed and made the special order after the morning call on next Tuesday, the thirtieth instant.

The following message was received from the House:

AUSTIN, January 23, 1883.

Hon. Marion Martin, President of the Senate:

I am instructed to inform your honorable body that the House of Representatives have passed a resolution to proceed to the election of a United States Senator, to-day at 12 o'clock m.

J. W. BOOTH,

Chief Clerk House of Representatives.

Senate joint resolution No. 18, granting leave of absence to H. C. Tompkins, county judge of Waller county, was taken up with substitute of committee for it, and Senate joint resolutions Nos. 19 and 21, granting leave of absence to R. C. Beale, county judge of Navarro county, together with other county judges in various other counties.

The caption of substitute is "A bill to be entitled an act to amend article 1135, chapter 1, title 28 of the Revised Civil Statutes." Joint resolutions read second time.

Senate announced full, and the consideration of Senate bill No. 2 resumed.

Senator Houston offered the following amendment: And to section 1 of the bill "that this amendment shall not apply to persons of sound mind, or to persons imprisoned."

Senator Harris made the point of order that the Senate was not full, which fact being ascertained, the pending business went to the table.

The consideration of Senate joint resolutions Nos. 18, etc., resumed.

The Senate was again announced full, which was tested by a call of the roll, and the consideration of Senate bill No. 2 was again resumed.

The amendment of Senator Houston was adopted, and the bill ordered engrossed by the following vote:

YEAS—17.

Chesley,	Johnson of Collin,	Pfeuffer,
Collins,	Jones,	Pope,
Evans,	King,	Shannon,
Farrar,	Kleberg,	Stratton,
Gooch,	Matlock,	Traylor.
Houston,	Perry,	

NAYS—12.

Buchanan,	Fowler,	Martin,
Cooper,	Getzendaner,	Patton,
Davis,	Gibbs,	Peacock,
Fleming,	Harris,	Terrell.

Senator Collins offered the following resolution:

Resolved, That the chairman of the Committee on Rules be and is hereby instructed to purchase thirty copies of the rules of the Senate, or cause such rules to be printed as soon as practicable.

Adopted.

The consideration of Senate joint resolution No. 18, with the accompanying resolution, etc., resumed.

Senator Stratton offered the following amendment:

Amend by striking out ninety days and inserting thirty days.

A message was received from the House announcing the passage of the following bills:

Senate bill No. 7, entitled "An act to amend articles 245 and 247 of the Revised Statutes."

House bill No. 14, to be entitled "An act to amend article 1265 of chapter 8, title 29, of the Revised Civil Statutes, relating to verified answers in civil cases;" and

House bill No. 24, to be entitled "An act to amend article 1052, title 15, chapter 2, of the Code of Criminal Procedure of the State of Texas."

Senator Houston moved the previous question on the pending resolutions, substitute and amendments.

The previous question was sustained and main question ordered.

Senator Stratton's amendment lost by the following vote:

YEAS—13.

Cooper,	Gibbs,	Patton,
Davis,	Houston,	Pfeuffer,
Evans,	Johnson of Collin,	Stratton,
Fowler,	Jones,	Traylor.
Getzendaner,		

NAYS—16.

Buchanan,	Harris,	Peacock,
Chesley,	King,	Perry,
Collins,	Kleberg,	Pope,
Farrar,	Martin,	Shannon,
Fleming,	Matlock,	Terrell.
Gooch,		

Substitute adopted, and bill ordered engrossed by the following vote:

YEAS—21.

Buchanan,	Gooch,	Patton,
Chesley,	Harris,	Peacock,
Collins,	Houston,	Perry,
Cooper,	King,	Pope,
Farrar,	Kleberg,	Shannon,
Fleming,	Martin,	Terrell,
Fowler,	Matlock,	Traylor.

NAYS—8.

Davis,	Gibbs,	Pfeuffer,
Evans,	Johnson of Collin,	Stratton.
Getzendaner,	Jones,	

Senate bill No. 40, entitled "An act to amend article 180, Penal Code," was taken up and read second time.

Committee amendments adopted.

The hour having arrived (12 o'clock m.) the Senate proceeded to vote for United States Senator to succeed Hon. Richard Coke, as per Senate resolution adopted this morning.

Senator Terrell placed in nomination the Hon. Richard Coke for United States Senator to succeed himself.

Senator Pope seconded the nomination of Senator Richard Coke for United States Senator.

On call of the roll the following Senators voted for Hon. Richard Coke, for United States Senator, to succeed himself, viz :

Buchanan, Chesley, Collins, Cooper, Davis, Evans, Farrar, Fleming, Fowler, Getzendaner, Gibbs, Gooch, Harris, Houston, Johnson of Collin, Jones, King, Kleburg, Martin, Matlock, Patton, Peacock, Perry, Pfeuffer, Pope, Shannon, Stratton, Terrell and Traylor—29; being every Senator present.

After the announcement of the result, on motion of Senator Houston, the Senate adjourned until 10 o'clock a. m. to-morrow.

THIRTEENTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, January 24, 1883. }

The Senate met pursuant to adjournment.

Lieutenant-Governor Martin in the chair.

Roll called; quorum present.

Prayer by the Chaplain.

On motion of Senator Kleberg, the reading of the journal of yesterday was dispensed with.

On motion of Senator Matlock, Mr. Hunter, Second Assistant Secretary of the Senate, was excused for one week, on account of sickness.

Senator Houston presented a petition of Octaviana Larizolo, a citizen of El Paso county, asking an appropriation to pay school vouchers accompanying said petition. Referred to Committee on Finance.

Senator Kleberg presented a memorial, signed by members of the San Marcos bar, asking for the passage of certain amendments to article 1052, Code of Criminal Procedure. Referred to Judiciary Committee No. 2.

Senator Buchanan, chairman of Committee on Rules, submitted the following report:

COMMITTEE ROOM,
AUSTIN, January 24, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Rules, to whom was referred Senate resolution, offered by the Senator from Bexar, in words as follows:

"*Resolved*, That subdivisions eighth and ninth of rule 13 of the Senate rules, prescribing the order of business, be so amended as to read as follows:

"Eighth. For bills on third reading.

"Ninth. For bills on second reading."

have considered said resolution, and instruct me to report the same back to the Senate and recommend that it be adopted.

BUCHANAN, Chairman.

On motion of Senator Buchanan, rules were suspended to take action on the resolution embodied in the report. Rules were suspended and the resolution was adopted.

Senator Kleberg, chairman of Committee on Retrenchment and Reform, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, January 23, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Retrenchment and Reform, to whom was referred Senate bill No. 125, have considered the same, and have instructed me to report it back with the recommendation that it do pass.

KLEBERG, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 23, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Retrenchment and Reform, to whom was referred Senate bill No. 115, have considered the same, and instruct